

GODDARD SPACE FLIGHT CENTER



Alternative Dispute Resolution

ADR

“CREATING SOLUTIONS AND SYNERGY”





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The pictures in this pamphlet are for illustrative purposes only. A special thank you is extended to the employees who volunteered to have their pictures taken for this purpose.

Are you experiencing conflict in your workplace? Is it difficult to have productive and effective communications with a fellow co-worker, an employee, a supervisor or manager? Have you tried everything you know to resolve your differences, but nothing seems to work? Are you looking for a better way to manage conflict? The Goddard Space Flight Center (GSFC) Alternative Dispute Resolution (ADR) Program may be the answer.

Purpose

The purpose of this guide is to introduce you to a new way of resolving conflict at GSFC. GSFC designed and implemented the ADR Program, which includes such ADR processes as mediation and facilitation and offers conflict management skills training in order to help solve conflict at the earliest stages.

Overview

The ADR program serves GSFC civil servants at all levels. The program provides an alternative to the traditional complaint, grievance, and appeal systems available for resolving workplace conflict. If you are a member of a bargaining unit, please review your bargaining unit agreement or consult with bargaining unit officials to determine if your bargaining unit is participating in the ADR program.

ADR addresses workplace disputes through various techniques including facilitation, facilitated negotiation and mediation. Where appropriate the GSFC ADR program may use any one of these techniques. However, Mediation is the foundation of the Program.



MEDIATION

Mediation Process

Mediation is a process that employs the use of a neutral third party to help individuals in conflict reach resolution. Mediation helps to:

- Open the lines of communication;
- Discover individual interests and needs;
- Create understanding;
- Focus on a plan for the future;
- Create resolutions; and
- Build better relationships.

What Is Mediation?

Mediation is a problem solving process that focuses on the future. In mediation, individuals in conflict meet with a mediator to discuss the issues and attempt resolution. This process is designed to assist parties with creating their own mutually satisfactory resolution. It is not a process to determine who is right, who is wrong or to impose laws.

Unlike formal litigation where a judge or jury imposes a decision, a mediator has no such authority. Nothing is decided by the mediator. Instead, the parties create their own solution.

What Are the Goals of Mediation?

The primary goals of mediation are to bring disputing parties together to discuss their issues of concern and to assist them in exploring and developing a mutually agreeable resolution.

Why Mediate?

Consider the following:

Mediation	Litigation
Fast	Slow
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Informal	Formal
Voluntary	Enforced
Cooperative	Adversarial
Private	Public
Future-focused	Past-focused
Win/Win	Win/Lose
Builds relationships	Can damage relationships

Does Mediation Affect An Employee's Rights?

By agreeing to mediate, you do not give up your rights to file an Equal Employment Opportunity (EEO) complaint or grievance. If mediation does not result in a mutual resolution, you may pursue the more formal avenues. However, the established time frames for filing a complaint or grievance still apply and remain the responsibility of the employee.

ADR in Workplace Disputes

By requesting mediation to resolve your dispute, you retain control of the outcome, have an opportunity to resolve your concerns quickly, voluntarily, informally, and consensually in a non-adversarial setting. Thus, by working together toward resolution, you and the other party to the dispute may actually improve your working relationship.

If you are in a conflict and want early resolution, do not wait, call now! (301) 286-0482



What if I Have Filed an EEO Complaint?

If you have already filed an EEO complaint, you will be offered an opportunity to elect ADR at both the pre-complaint and formal stages of the EEO complaint process. The EEO counselor will offer you a choice of electing ADR or traditional counseling in the informal/pre-complaint stage of the EEO Complaint process. If either counseling or ADR fails to result in a signed resolution agreement, you may go on to file a formal EEO complaint. During the formal complaint stage, you will again be offered an opportunity to participate in ADR.

What if I Have Filed a Grievance?

If you have filed an administrative grievance, you (the grievant or any management official) may ask to participate in ADR during any stage of the process prior to the deciding official's decision. When ADR is elected, the time frames during the administrative grievance process may be held in abeyance.

If you have filed a negotiated grievance, some bargaining units provide that their members may ask to participate in ADR during any stage of the negotiated grievance process in an attempt to reach a mutually agreeable resolution. To determine if your bargaining unit is participating in the ADR program, please review your bargaining unit agreement or consult with bargaining unit officials. Some collective bargaining unit agreements may provide for suspending the processing of the grievance until ADR is completed.

When Should I Contact the ADR Program Office?

When you have a concern or issue and you need assistance in resolving it, call the ADR Office as early as possible. Mediation may help you resolve your issues or concerns when your other efforts to resolve the dispute have been unsuccessful.

How Does the ADR Program Work?

An individual in conflict calls the GSFC ADR Program to speak with the ADR Program Manager. If mediation appears to be an option, the ADR Manager will explain the mediation process to the employee, and they can discuss whether mediation is appropriate.

If the employee desires to mediate, the ADR Manager contacts the other party to see if he/she is willing to mediate. If so, the mediation will be scheduled in a neutral location away from the work site. The process begins with introductions and the mediator's opening statement to explain the mediation process and ground rules for conducting the mediation. Next, each party is afforded the opportunity to state the issues in his/her own words and explain the personal impact of those issues. Generally, the party who initiated the mediation will begin.

After the initial statements are completed, the mediator may "caucus" (meet privately) with each party. During caucus, each party may individually express additional interests, needs and issues confidentially to the mediator. The mediator may explore individually with each party any matters he/she would like the mediator

to share with the other party. Unless otherwise specified by the individual party, all matters discussed in caucus remain confidential.

After caucus, the parties may meet jointly to begin to develop options, or steps each may take toward resolution. If the parties reach a mutually acceptable resolution, the terms of the resolution are usually prepared in writing for each party to sign. Should the mediation not result in a resolution, the ADR Program Manager advises the parties of options available through other avenues of redress.

Conflict Management Training

Conflict is inevitable. It occurs when two people oppose each other because their needs, wants, goals, values, and/or methods are different. Conflict is almost always accompanied by feelings of anger, hurt, frustration, threats, or anxiety.

Conflict ignored or avoided has the potential to escalate to the point where it can cause irreparable damage to relationships and the organization as a whole. Learning to deal effectively with conflict is an essential skill everyone needs. There may be a better way to manage conflict in your work area.

The ADR Program provides Conflict Management (CM) training for GSFC employees at all levels. CM training is designed to provide participants with tools to help them achieve more effective and efficient conflict management.

Conflict Management Training Objectives

- Examine the importance of conflict management in the workplace.
- Determine your own personal conflict management style.
- Discover the impact of various conflict management styles on interpersonal communication.
- Examine the factors that impact the potential for conflict in the workplace.
- Create a positive work environment that constructively uses conflict.
- Learn a creative problem solving process.
- Learn how ADR processes can be a valuable resource for effectively managing conflict.
- Share available Federal agency resources in ADR and conflict management.

Where Can I Obtain More Information About GSFC ADR?

For additional information about the GSFC ADR Program, or to provide suggestions so that we may improve or expand our services to you, call: (301) 286-0482

Information concerning our program is available on-line on our Web site at: <http://adr.gsfc.nasa.gov>

You may also visit our office at:
Goddard Space Flight Center
Building 8, Room 327
8800 Greenbelt Road,
Greenbelt, MD 20771

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Other Options

To file a complaint of discrimination, please contact your servicing Equal Opportunity (EEO) Counselor or Manager.

For information on the grievance process, please contact your servicing Human Resources Office or Union Office.

Individuals who require communication of program information in an alternative format should contact our office directly at (301) 286-0482.



The Goddard Space Flight Center (GSFC) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, and disability.

Tips and Techniques for Better Communication

Communication Tips

- Be respectful
- State the issues
- Use “I” statements
- Listen actively
- Think before reacting
- Accept responsibility
- Give feedback

Good Listening Techniques

- Ask questions
- Paraphrase
- Be encouraging (“Tell me more...”)
- Be empathetic
- Understand others first; then
- Ask for understanding

Problem Solving

- Identify the problem
- Determine needs and interests
- Seek common ground
- Develop options
- Agree on a resolution
- Evaluate resolution(s)
- Focus on the future

We hope this guide encourages you to try mediation if your first attempts to resolve concerns or issues with a co-worker, supervisor or supervisee have not resolved the conflict.

We also hope this guide will stimulate your interest in developing or enhancing your current conflict management skills.

GSFC ADR PROGRAM

For more information, please contact us directly at 301-286-0482 or use the Federal Relay Service at 711 in Maryland or 1-800-201-7165 from anywhere.